

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CUSTOMER NO. 22927**

Applicants: Walker et al.  
Application No.: 09/973,581  
Filed: October 9, 2001

Title: **METHOD AND APPARATUS FOR ENTERTAINING CALLERS  
IN A QUEUE**

Attorney Docket No. 01-033  
Group Art Unit: 2614  
Examiner: ANWAH, OLISA

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as (i) a representation that a thorough search has been made; (ii) an admission that the information cited is, or is considered to be, material to patentability; (iii) an admission that no other material information exists; or (iv) an admission that Applicants agree with any statement(s) in the information cited. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

Olisa Anwah : OA 1-18-2007

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

### Fees

No fee is believed to be due under 37 C.F.R. § 1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(b)(4), before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271.

Respectfully submitted,

January 9, 2007



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1-18-2007

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**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
OA	A	3,997,718	12/14/76	Ricketts et al.	178	6.8	
OA	B	4,468,528	08/28/84	Reece et al.	179	18 B	
OA	C	4,577,067	03/18/86	Levy et al.	179	99 H	
OA	D	4,706,275	11/10/87	Kamil	379	144	
OA	E	4,788,715	11/29/88	Lee	379	84	
OA	F	4,893,330	01/09/90	Franco	379	91	
OA	G	4,953,204	08/28/90	Cuschleg, Jr. et al.	379	266	
OA	H	4,975,942	12/04/90	Zebryk	379	144	
OA	I	5,003,584	03/26/91	Benyacar et al.	379	119	

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No
OA	J	WO 98/10558	12/03/98	PCT				

**OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)**

OA	K	"Audio.Com (North Miami, Florida) is Working to Turn Telephone Hold Time into a Prime Promotional Opportunity", Advertising Age, December 20, 1982, pg. 24MW1.
OA	L	"Callers Don't Mind Hearing Helpful Ads When on Hold", Telecommunication Alert, December 1990, Volume 8, No. 12.

<b>EXAMINER</b> Olivia Anwarh	<b>DATE CONSIDERED:</b> 1-18-2007
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OA	M	5,020,152	05/28/91	Glista, Jr.	455	601	
OA	N	5,058,152	10/15/91	Solomon et al.	379	67	
OA	O	5,146,491	09/08/92	Silver et al.	379	114	
OA	P	5,148,474	09/15/92	Haralambopoulos et al.	379	111	
OA	Q	5,163,086	11/10/92	Ahearn et al.	379	91	
OA	R	5,166,974	11/24/92	Morganstein et al.	379	67	
OA	S	5,204,894	04/20/93	Darden	379	88	
OA	T	5,222,121	06/22/93	Shimada	379	88	
OA	U	5,249,219	09/28/93	Morganstein et al.	379	84	
OA	V	5,251,252	10/05/93	Katz	379	92	

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							Yes	No

**OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)**

OA	W	Doyle, T.C., "Wordperfect's Mix" DeeJays Offer Users Toll-free Easy Listening", Computer Reseller News, January 6, 1992, pg. 114.
OA	X	"Acquisition: US West Marketing Resources Acquires Please Hold Promotions.", Edge, on & about AT&T, March 7, 1994, Vol. 9, No. 293, pg. 25(1).

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
OA	Y	5,287,403	02/15/94	Atkins et al.	379	144	
OA	Z	5,311,574	05/10/94	Livanos	379	88	
OA	AA	5,353,335	10/04/94	D'Urso et al.	379	67	
OA	BB	5,359,642	10/25/94	Castro	379	121	
OA	CC	5,420,926	05/30/95	Low et al.	380	24	
OA	DD	5,444,774	08/22/95	Friedes	379	266	
OA	EE	5,469,497	11/21/95	Pierce et al.	379	115	
OA	FF	5,483,588	01/09/96	Eaton et al.	379	202	
OA	GG	5,485,510	1/16/96	Colbert	379	145	
OA	HH	5,488,411	01/30/96	Lewis	348	8	

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**OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)**

OA	II	Valenz, Shari, "Going Past the Tip of the Iceberg: Unified Messaging and Multimedia Apps are Voice Mail's Future.", Teleconnect, April 1994, Vol. 12, No. 4, pg. 66(28), ISSN: 0740-9354.
OA	JJ	Higgins, Terry, "Since we're Always on Hold, We might As Well Dance to it.", Business Journal-Milwaukee, April 9, 1994, Vol. 11, No. 27, pg. 5A(1).

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OA	KK	5,511,112	04/23/96	Szlam	379	88	
OA	LL	5,513,117	04/30/96	Small	364	479	
OA	MM	5,515,421	05/07/96	Sikand et al.	379	67	
OA	NN	5,521,631	05/28/96	Budow et al.	348	7	
OA	OO	5,528,670	06/18/96	Elliot et al.	379	89	
OA	PP	5,537,464	07/16/96	Lewis et al.	379	114	
OA	QQ	5,546,446	08/13/96	Tsumokawa et al.	379	114	
OA	RR	5,559,871	09/24/96	Smith	379	115	
OA	SS	5,561,707	10/01/96	Katz	379	88	
OA	TT	5,565,908	10/15/96	Ahmad	348	7	

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							Yes	No

**OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)**

OA	UU	Day, Charles E., "New Technologies that Facilitate Integrated Inbound/Outbound Marketing", Telemarketing, May 1994, Vol. 12, No. 11, pg. 75(4).
OA	VV	Day, Charles E., "Call-blending Technology that Suits your Needs: Predictive Dialer Manufacturer's Perspective", Telemarketing, January 1995, Vol. 13, No. 7, pg. 56(2).

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
OA	WW	5,557,109	11/19/96	Stimson et al.	379	112	
OA	XX	5,581,270	12/03/96	Smith et al.	345	2	
OA	YY	5,592,537	01/07/97	Moen	379	67	
OA	ZZ	5,603,078	02/11/97	Henderson et al.	455	5.1	
OA	AAA	5,608,785	03/04/97	Kasday	379	90	
OA	BBB	5,621,787	04/15/97	McKoy et al.	379	144	
OA	CCC	5,638,426	06/10/97	Lewis	379	90	
OA	DDD	5,651,058	07/22/97	Hackett-Jones et al.	379	201	
OA	EEE	5,715,298	02/03/98	Rogers	379	91.01	
OA	FFF	5,729,279	03/17/98	Fuller	348	8	

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							Yes	No

**OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)**

OA	GGG	Manrique, John, "Focus On: Options for On-Hold Messaging Equipment.", Telemarketing, March 1995, Vol. 13, No. 9, pg. 53(3).
OA	HHH	Ousey, Alison, "Voice Mail: New Directions." Teleconnect, April 1995, Vol. 13, No. 4, pg. 63(25), ISSN: 0740-9354.

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OA	III	5,749,075	05/05/98	Toader et al.	705	14	
OA	JJJ	5,767,894	06/16/98	Fuller et al.	348	8	
OA	KKK	5,784,565	07/21/98	Lewine	395	200.59	
OA	LLL	5,818,512	10/06/98	Fuller	348	8	
OA	MMM	5,818,836	10/06/98	DuVal	370	389	
OA	NNN	5,825,863	10/20/98	Walker	379	144	
GA	OOO	5,835,126	11/10/98	Lewis	348	8	
OA	PPP	5,867,566	02/02/99	Hogan et al.	379	115	
OA	QQQ	5,872,834	02/16/99	Teitelbaum	379	93.03	
OA	RRR	5,884,284	03/16/99	Peters et al.	705	30	

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OA	SSS	"Focus on: What to Expect from an On-hold Message Service Provider.", Telemarketing, August 1995, Vol. 14, No. 2, pg. 38(3).
OA	TTT	"US Call Center Hardware and Software Markets", Frost & Sullivan, February 1996.

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OA	UUU	5,946,388	08/31/99	Walker et al.	379	266	
OA	VVV	6,014,439	01/11/00	Walker et al.	379	266	
OA	WWW	6,139,431	10/31/00	Walker et al.	463	20	
OA	XXX	6,178,240 B1	01/23/01	Walker et al.	379	266	

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							Yes	No

**OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)**

OA	YYY	Kidd, Joe, "Oregon's Symantec Hires Telephone 'QJS' to Entertain Callers", Register-Guard, February 22, 1996.
OA	ZZZ	Deixler, Lyle, "Teledata's Call Link for Windows.", Teleconnect, March 1996, Vol. 14, No. 3, pg. 44(2).

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OA	AAAA	Hall, Susan Bard, "Hotels Dialing Up 'On Hold' Promos", Hotel & Motel Management, March 18, 1996, Vol. 211, No. 5, pg. 10.	
OA	BBBB	Anderson, J, "Microsoft Return of the Arcade.", Computer Gaming World, May 1996, No. 142, pg. 54(1).	
OA	CCCC	Ousey, Alison, "On-Hold Messaging.", Teleconnect, September 1996, Vol. 14, No. 9, pg. 54(12).	
OA	DDDD	Pulliam, Liz, "College Students May Learn the Hardest Accounting Lessons Outside the Classroom.", The Orange County Register, September 1, 1996, Business Section, Pg. K01.	
OA	EEEE	"Kids Phone Usage Another Way for Marketers to get Connected", Phillips Business Information, Inc., January 22, 1997.	
OA	FFFF	"CollegeTalk: A must for any family with a student in college.", ( <a href="http://www.adforce.com/video/ctalk.htm">http://www.adforce.com/video/ctalk.htm</a> ), download date: May 21, 1997.	
OA	GGGG	"US West, Qwest Create Phone Alliance", The Arkansas Democrat-Gazette, May 11, 1998, Section: News, pg. D2.	
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